



Attorney Docket: 28025US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mario A. VILLENA, et al.

Application No. 10/536,693 : International Application No.: PCT/US04/28206

Filed: May 27, 2005 : International Application Filing Date: August 31, 2004

For: ***COMPUTERIZED AGENT AND SYSTEMS FOR AUTOMATIC SEARCHING OF PROPERTIES HAVING FAVORABLE ATTRIBUTES***

DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. 1.13(y)2

Commissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment

Sir:

NOW COMES the undersigned and declare that:

1. I, William Kennedy, am a part owner and the Vice President of Research and Technology for HomeXperts, d.b.a., HomeKeys.net, which is related to the instant Application. I have personal knowledge of the work done in accordance with the related projects of HomeKeys.net, and of the subject matter for the present application.

2. Homekeys had developed the claimed subject matter, and implemented a particular embodiment for ecommerce, which was initially placed on the Internet at www.HomeKeys.net on

March 2005. One of the features incorporated into the website was the generation of a database of AVM values for several Florida counties, and a map display with real properties embedded within that were generated using the database of AVM values.

3. A review of Internet access records showed that the Homekeys website had a large amount of traffic from an IP address (67.134.199.34) starting in May 2005, which tracked back to an address in Seattle, WA occupied by Zillow.com. For example, the HomeKeys.net site registered over 78 visits by 66 people from this address during the months of September and November 2005.

4. Zillow.com went online about February 2006. According to its own claims, the Zillow site includes a database AVM values for over 65 million homes in the US, and uses a map display with real properties embedded within that are generated using their database of AVM values.

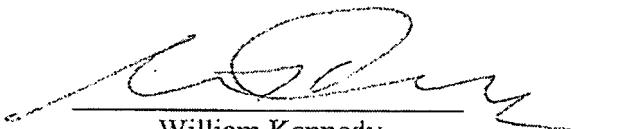
5. Cyberhomes.com went online about November 2006. According to its own claims, the Cyberhomes site includes a database AVM values for over 100 million homes in the US, and uses a map display with real properties embedded within that were generated using their database of AVM values.

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6. All statements made herein of my own knowledge are true. All statements made herein upon information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both, under the provisions of 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing therefrom.

7. Further, declarant sayeth naught.

8. WITNESS my signature below in the indicated date.

6/25/07 

William Kennedy